Application No. 10/588,053 Amendment dated June 2, 2010 In Reply to Office Action of March 2, 2010

Amendments to the Specification:

Please replace the paragraph, beginning at page 1, line 3, with the following rewritten paragraph:

The invention relates to a test element and a method for diagnostic tests, in particular for testing of bag and receptor recipient blood before a blood transfusion.

Please replace the paragraph, beginning at page 1, line 6, with the following rewritten paragraph:

One of the greatest risks regarding transfusions of blood constituents, so-called blood transfusions, is a blood-group incompatibility between bag and receptor-recipient blood. The reasons for this are more often mix-ups than false determinations. For these reasons, so-called ABO identity tests are compulsory in some countries, which are carried out by the treating personnel, e.g. the nurse or the transfusing doctor, immediately before the transfusion at the patient's bed. These tests lead to additional stress of the station personnel which have little training in lab diagnostics and are amongst others rejected for this reason in some countries.

Please replace the paragraph, beginning at page 1, line 15, with the following rewritten paragraph:

In certain countries as for example Germany or Austria, such an identity test is compulsory, however, only with regard to the receptor-recipient blood. In these countries, it is left to the respective hospital whether it carries out the identity test of the bag at the patient's bed or not. This is justified with the responsibility of the producer (blood bank) for the correct determination and designation of the bag blood. However, this does not prevent many hospitals from checking the bag blood type in the hospital lab once more and/or to carry out an ABO identity test at the patient's bed.

Please replace the paragraph, beginning at page 2, line 25, with the following rewritten paragraph:

The second inventive test unit of the test element is preferably used to further reduce the danger of application of a blood bag with unsuitable blood type. To this end, the blood of the receptor recipient of the blood transfusion is preferably tested immediately before the

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transfusion by means of the second test unit of the test element. The aids being necessary therefore, namely the test element, are physically connected with the blood bag and is thus inevitably provided at the patient's bed.

Please replace the paragraph, beginning at page 3, line 2, with the following rewritten paragraph:

Preferably, the two test units of the test element are arranged in such a way that, after performing both tests, it is easy to recognize whether the blood type of the blood bag matches with the blood type of the receptor recipient or not. This is achieved preferably by a laterally reversed arrangement of the test chambers – for fluid indicator reagents – or the test fields – for immobilized indicator reagents – of the test units.

Please replace the paragraph, beginning at page 3, line 28, with the following rewritten paragraph:

In a further preferred embodiment the test unit for the bag blood comprises at least three test chambers or test fields, in which respectively an anti-A, an anti-B, and an anti-D reagent is contained. By means of these at least three test chambers respectively test fields, an ABD test may accordingly be carried out. In a further preferred embodiment, a further test chamber respectively a further test field for carrying out self-control is provided. The test unit for the blood of the receptor-recipient comprises preferably at least two test chambers respectively two test fields, in which preferably an anti-A and an anti-B reagent is contained. By means of these at least two test chambers respectively test fields, an ABO test may be carried out.

Please replace the paragraph, beginning at page 4, line 7, with the following rewritten paragraph:

According to the invention, this object is solved also by a method for testing blood during the preparation and performance of blood transfusions, wherein the method comprises the steps of:

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- testing the bag blood by means of the first test unit in a test element, as described above, preferably in the hospital lab,
- fixing the test element at the blood bag containing the bag blood by means of a fixing means, and
- testing the blood of the <u>receptor_recipient</u> by means of a second test unit of the test element, preferably at the patient's bed, in particular within 45 days after testing the bag blood.

Please replace the paragraph, beginning at page 4, line 21, with the following rewritten paragraph:

The inventive method for testing blood comprises the advantage that an application of a blood bag with a blood type being incompatible for the patient may practically be excluded during blood transfusion. By the application of a test element, which may be fixed to the blood bag for testing the bag blood and the blood of the receptor-recipient, a mix-up is practically impossible, since it is clearly visible which tests have already been carried out for the blood transfusion, in which the blood bag shall be applied and what the result of the respective tests was. The nurse who is rather untrained in diagnostic tests is provided with a reference result through the real result of the lab test being visible for her in situ, which facilitates for her the evaluation whether her own result is correct. This saves time-consuming inquiries at the hospital lab.

Please replace the paragraph, beginning at page 5, line 6, with the following rewritten paragraph:

Preferably, this method is used for testing blood types. Further preferred it is verified before the performance of the blood transfusion that during testing of the bag blood and during testing of the receptor recipient blood the same blood type has been identified.